

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**February 17, 2009**

**3:30 P.M. SCHEDULED SESSION**

**3:35 P.M. MEETING COMMENCED**

**ROLL CALL:** William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Myron Lowery

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Councilwoman Barbara Swearengen Ware.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

Approval of the Minutes of the regular meeting of February 3, 2009 with the following motion:

**MOTION:** Conrad  
**SECOND:** Collins  
**AYES:** Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery  
Brown did not cast a vote

**APPROVED**

1. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH SIDE OF WALNUT GROVE ROAD; +/-2,540 FEET WEST OF HOUSTON LEVEE ROAD, CONTAINING 196.89 ACRES AND IS CURRENTLY GOVERNED BY WOODLAND HILLS II PLANNED DEVELOPMENT (P.D. 04-343CC).**

Case No. PD 08-324cc

Applicant: Coastal Fuels, Inc.  
Harkavy, Shainberg, Kaplan & Dunstan, PLC-Ronald Harkavy-Representative

Request: Planned development amendment to allow single family homes with minimum lots sizes of 6,000 sq. ft., including independent and assisted living for seniors, licensed health care, nursing home and associated medical facilities

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Morrison

SECOND: Brown

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

**APPROVED**, as amended

2. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF ELLIS ROAD AND NEW BRUNSWICK ROAD, CONTAINING 47.21 ACRES IN THE SINGLE FAMILY RESIDENTIAL(R-S10) DISTRICT.**

Case No. PD 08-328cc

Applicants: Windsor Park Partners  
ETI Corporation-Ralph Smith - Representative

Request: Planned development to allow senior-living attached homes, including senior care facilities for a nursing home, assisted living, hospice and rehabilitation centers

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Morrison

SECOND: Brown

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

**APPROVED**

3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE WEST SIDE OF GERMAN CREEK DRIVE; SOUTH OF WALNUT BEND ROAD, CONTAINING 8.783 ACRES IN THE PLANNED COMMERCIAL (C-P) DISTRICT.**

Case No. PD 08-334

Applicant: Jack Johnson  
Jack Johnson – Representative

Request: The request is for a self-storage facility with outdoor vehicle storage

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Morrison

SECOND: Brown

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery  
Hedgepeth recused  
Conrad did not cast a vote

**APPROVED**

4. **RESOLUTION AMENDING THE COMMUNITY REDEVELOPMENT PLAN FOR THE UPTOWN AREA.**

MOTION: Morrison

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

**APPROVED**, as amended

5. **RESOLUTION APPROVING A HOTEL/MOTEL WAIVER FOR ECONO LODGE INN & SUITES LOCATED AT 2745 AIRWAYS.**

Friendly Amendment: Hotel waiver will expire in 1 year. The applicant will then come back before City Council

MOTION: Hedgepeth

Without Objection, this item was accepted as a Friendly Amendment

MAIN MOTION: Morrison

SECOND: Boyd

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

**APPROVED**, as amended

6. **ORDINANCE REZONING THE NORTH END OF BLEDSOE ROAD CUL-DE-SAC; NORTH OF HOLMES ROAD, CONTAINING 16.91 ACRES IN SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5295

Case No. Z 08-117

Applicant: Mark H. George  
ETI Corporation – Representative

Request: Heavy Industrial (I-H) District

LUCB and OPD recommendation: APPROVAL

MOTION: Morrison

SECOND: Strickland

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,  
Morrison, Strickland, Ware and Chairman Lowery

**APPROVED**

7. **ORDINANCE REZONING MOORE ROAD, BEGINNING AT GERMANTOWN PARKWAY AND ENDING AT WALNUT GROVE ROAD, EXTENDING APPROXIMATELY ONE MILE IN LENGTH IN THE AGRICULTURAL (AG) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5296

Case No. SNC 08-802

Applicant: Agricenter International  
John Charles Wilson – Representative

Request: Street name change from Moore Road to Smythe Farm Road

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Morrison

SECOND: Boyd

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,  
Morrison, Strickland, Ware and Chairman Lowery

**APPROVED**

**CONSENT AGENDA – Items 8-14 may be acted upon by one motion: SEE PAGE 2804 FOR ROLL CALL**

8. **ORDINANCE AMENDING CHAPTER 12-52 OF THE CODE OF ORDINANCES TO BAN THE USE OF PLASTIC CARRIER BAGS DURING PARADES AND PUBLIC ASSEMBLIES; REQUIRE RECYCLE BINS OR BAGS; AND ENCOURAGE USE OF RECYCLED OR RECYCLABLE PRODUCTS, UP FOR S E C O N D READING.**

Ordinance No. 5298

**APPROVED**, on Second reading

9. **ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY ZONING ORDINANCE-REGULATIONS, ADOPTED BY THE SHELBY COUNTY BOARD OF COMMISSIONERS ON OCTOBER 6, 1981 AND BY THE COUNCIL OF THE CITY OF MEMPHIS ON OCTOBER 7, 1981, SO AS TO MAKE CERTAIN CHANGES THEREIN, UP FOR S E C O N D READING.**

Ordinance No. 5297

Case No. ZTA 07-004cc

**APPROVED**, on Second reading

10. **ORDINANCE REZONING THE SOUTH SIDE OF MACON ROAD, OPPOSITE DEXTER LANE INTERSECTION CONTAINING 5.44 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) AND GENERAL OFFICE (O-G) DISTRICTS, UP FOR S E C O N D READING.**

Ordinance No. 5299

Case No. Z 08-118

**APPROVED**, on Second reading

11. **RESOLUTION ACCEPTING THE DOMAIN ON HIGHLAND PD, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 06-308

(Contract No. CR-5051)

Resolution accepts completion of the improvements and dedication of public streets and easements as shown on the final plat located on the southwest corner of Highland Street and Mynders Avenue. The standard improvement contract was approved on February 6, 2007. Resolution also authorizes the release of the performance bond in the amount of \$64,000.00.

City Engineer recommends approval

**APPROVED**

12. **RESOLUTION APPROVING FINAL PLAT OF MEMPHIS INTERMODAL FACILITY NORTH LEAD.**

Contract No. CR-5134

Resolution approves the final plat located along the BNSF railroad track between Highway 78 and Old Getwell Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

13. **RESOLUTION APPROVING FINAL PLAT OF RIVERDALE/RAINES C-P, PH. 3.**

Case No. Z 02-360

Contract No. CR-5135

Resolution approves the final plat located at the northwest corner of Riverdale and Raines. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

14. **NOTATIONS FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. PD 08-331cc – Forest Creek P.D., 3<sup>rd</sup> Amendment
- B. Case No. PD 08-332cc – Stansell Crossing P.D., Part of Parcel 11
- C. Case No. PD 08-333cc – Applingwood P.D., 3<sup>rd</sup> Amendment
- D. Case No. PD 08-335 – Lakeview Estates P.D.

Public Hearing set for March 3, 2009

**ROLL CALL CONSENT ITEMS**

MOTION: Ware  
SECOND: Strickland  
AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Strickland, Ware and  
Chairman Lowery  
Conrad recused  
Flinn, Hedgepeth and Morrison did not cast a vote

**APPROVED**

**MLGW FISCAL CONSENT – Items 15-24 may be acted upon by one motion:**

15. **RESOLUTION AWARDED CONTRACT NO. 11332, SHORT & LONG TERM DISABILITY, TO UNUM GROUP IN THE FUNDED AMOUNT OF \$2,458,724.00.**

**APPROVED**

16. **RESOLUTION AWARDED CONTRACT NO. 11333, GROUP TERM, VOLUNTARY LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT, TO UNUM GROUP IN THE FUNDED AMOUNT OF \$3,419,040.00.**

**APPROVED**

17. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 10580, SERVICE AGREEMENT, WITH MOTOROLA, INC. IN THE FUNDED AMOUNT OF \$104,175.84. (THIS CHANGE COVERS QUARTERLY PAYMENTS IN THE AMOUNT OF \$13,021.98, TO BE PAID OVER A TWO-YEAR PERIOD, MARCH 1, 2009 TO FEBRUARY 28, 2011, FOR HARDWARE/SOFTWARE SUPPORT TO MLGW'S 800MZ VOICE COMMUNICATIONS SYSTEM.)**

**APPROVED**

18. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 10765, PRIVATE LABEL SERVICE AGREEMENT, WITH ACLARA SOFTWARE IN THE FUNDED AMOUNT OF \$194,500.00. (THIS CHANGE EXPANDS THE SCOPE OF WORK TO INCLUDE ADDITIONAL CUSTOMER SERVICE APPLICATIONS FOR MLGW'S GENERAL POWER CUSTOMERS AND ALSO TO ADD "WATER" AS A SERVICE TYPE FOR EXISTING RESIDENTIAL APPLICATIONS. IN ADDITION, THIS CHANGE CUSTOMIZES AND IMPLEMENTS THE BUSINESS BILL PRISM CONTACT CENTER APPLICATION, INCLUDING BILLING HISTORY INTEGRATION AND ADDS "WATER" AS A COMMODITY/SERVICE TYPE TO EXISTING RESIDENTIAL BILL PRISM APPLICATIONS (WEB AND CALL CENTER).**

**APPROVED**

19. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 10985, MASTER LEASE AGREEMENT, WITH SKILLSOFT CORPORATION IN THE FUNDED AMOUNT OF \$26,600.00. (THIS CHANGE PROVIDES A LIBRARY LICENSE FOR UP TO 100 MANAGEMENT, SUPERVISORY, DESKTOP AND SAFETY COURSES WITH AN AUDIENCE SIZE OF 250 EMPLOYEES FOR THE PERIOD JANUARY 1, 2009 TO DECEMBER 31, 2009.)**

**APPROVED**

20. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11016, DRUG AND ALCOHOL COLLECTION PROVIDER, WITH TRUE TEST COLLECTION IN THE FUNDED AMOUNT OF \$29,800.00. (THIS CHANGE COVERS THE INCREASE IN THE NUMBER OF EMPLOYEES BEING TESTED DUE TO THE CHANGE TO MLGW HR POLICY NO. 23-09, POST ACCIDENT ALCOHOL AND DRUG TESTING.)**

**APPROVED**

21. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11096, MOBILE SWEEPING CLEANING, WITH HORIZON OF MEMPHIS, INC. IN THE FUNDED AMOUNT OF \$73,205.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS, MARCH 1, 2009 TO FEBRUARY 28, 2010.)**

**APPROVED**

22. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11261, COMMERCIAL AUTO INSURANCE, WITH PETE MITCHELL & ASSOCIATES, INC. IN THE FUNDED AMOUNT OF \$89,750.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS, MARCH 14, 2009 TO MARCH 13, 2010, WITH A 2.44% INCREASE IN RATES.)**

**APPROVED**

23. **RESOLUTION APPROVING AND RATIFYING THE EMPLOYMENT OF CHERYL W. PATTERSON AS VICE PRESIDENT AND GENERAL COUNSEL OF MLGW.**

**APPROVED**

24. **RESOLUTION APPROVING AND RATIFYING THE EMPLOYMENT OF CHARMIANE CLAXTON AS VICE PRESIDENT HUMAN RESOURCES DIVISION OF MLGW.**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Ware  
SECOND: Collins  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland,  
Ware and Chairman Lowery  
Brown and Morrison did not cast a vote

**APPROVED**



**25. APPOINTMENTS****Memphis and Shelby County Music Commission****Appointment**

Charley Burch

**Memphis Youth Guidance Commission****Appointments**

Gerald L. Darling

Mamie G. Jones

Calvin Taylor

MOTION: Flinn

SECOND: Strickland

AYES: Boyd, Collins, Conrad, Flinn, Ford, Halbert, Hedgepeth, Strickland, Ware and  
Chairman Lowery  
Brown, Fullilove and Morrison did not cast a vote

**APPROVED**

**27. RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF ONE THOUSAND TWO HUNDRED FORTY NINE DOLLARS (\$1,249.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE STATE WIDE ACTIVITIES FUND. RESOLUTION ALSO AMENDS FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins

SECOND: Strickland

AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery  
Brown did not cast a vote

**APPROVED**

**26. ORDINANCE TO REQUIRE COUNCIL APPROVAL ON ALL LAWSUITS INITIATED BY THE CITY, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5294

MOTION: Lowery

SECOND: Boyd

AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland,

Ware and Chairman Lowery  
NAYS: Brown and Collins

**APPROVED**, as amended

28. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF ONE MILLION ONE HUNDRED NINETY FIVE THOUSAND EIGHT HUNDRED FIFTY FIVE DOLLARS (\$1,195,855.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE DISLOCATED WORKER FUND. RESOLUTION ALSO AMENDS FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins  
SECOND: Boyd  
AYES: Boyd, Collins, Conrad, Ford, Fullilove, Halbert, Morrison, Ware and Chairman Lowery  
Brown, Flinn, Hedgepeth and Strickland did not cast a vote

**APPROVED**

29. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF THREE MILLION SIX HUNDRED FOUR THOUSAND THREE HUNDRED SEVENTY NINE DOLLARS AND FIFTEEN CENTS (\$3,604,379.15) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE YOUTH FUNDS. RESOLUTION ALSO AMENDS FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins  
SECOND: Conrad  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

**APPROVED**

30. **RESOLUTION TO AMEND THE FY2009 OPERATING BUDGET TO APPROPRIATE FUNDS FOR THE MEMPHIS VOLUNTARY BUYOUT PROGRAM.**

MOTION: Morrison – Move the discussion to February 24, 2009 at 5:30 p.m. in the Council Conference Room for 2 hours  
SECOND: Halbert  
AYES: Boyd, Ford, Halbert, Morrison, Ware and Chairman Lowery  
NAYS: Collins, Conrad, Flinn, Fullilove, Hedgepeth and Strickland  
Brown did not cast a vote

**FAILED**, set up as Special Item #1

- MOTION: Strickland – Move to exclude from financing all Elected Officials, Deputy Directors and Directors from the buyout
- SECOND: Conrad (**THIS ITEM WAS MOVED AT THIS POINT, BUT NOT VOTED ON UNTIL LATER IN THESE MINUTES. THIS VOTE IS LISTED BELOW AS SPECIAL ITEM #3**)

Friendly Amendment: Exclude Elected Officials and Charter appointed Directors from the buyout. All other Directors and Deputy Directors may seek the buyout

- MOTION: Morrison

**Councilman Strickland did not accept this motion as a Friendly Amendment. Since Councilman Strickland did not accept this as a Friendly Amendment, Councilman Morrison put this Friendly Amendment in the form of a motion**

**After a lengthy discussion, Councilman Boyd called for the question. Council Lowery stated that without objection, we will call for the question. Then the vote was taken on the amendment**

- MOTION: Morrison – elected officials and charter appointed directors are excluded from the buyout. All other Directors and Deputy Directors can participate in the buyout
- SECOND: Boyd
- AYES: Boyd, Collins and Morrison
- NAYS: Conrad, Flinn, Fullilove, Halbert, Hedgepeth, Strickland, Ware and Chairman Lowery
- Ford abstained
- Brown did not cast a vote

**FAILED**, set up as Special Item #2

- MOTION: Strickland – Move to exclude from financing all Elected Officials, Deputy Directors and Directors from the buyout
- SECOND: Conrad
- AYES: Boyd, Collins, Conrad, Flinn, Fullilove, Halbert, Hedgepeth, Strickland, Ware and Chairman Lowery
- NAYS: Morrison
- Ford abstained
- Brown did not cast a vote

**APPROVED**, set up as Special Item #3

- MOTION: Conrad – Reduce sick days to 75 days instead of 150 days
- SECOND: Flinn

**Lorene Essex stated that the City policy states 75 days not 70. The amendment is for 75 days**

AYES: Conrad, Flinn, Hedgepeth, Strickland and Chairman Lowery  
NAYS: Boyd, Collins, Ford, Fullilove, Halbert, Morrison and Ware  
Brown did not cast a vote

**FAILED**, set up as Special Item #4

MAIN MOTION: Halbert  
SECOND: Flinn  
AYES: Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Strickland and Ware  
NAYS: Boyd, Conrad, Morrison and Chairman Lowery  
Ford abstained

**APPROVED**

31. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 0 EAST OLIVE STREET(02505600041) IN THE SOUTH MEMPHIS AREA TO PRIESTLY JONES IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00).**

Director of Housing and Community Development recommends approval

MOTION: Ford  
SECOND: Morrison  
AYES: Boyd, Collins, Conrad, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery  
Brown, Flinn and Halbert did not cast a vote

**APPROVED**

32. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 1117 BEECHWOOD STREET (02601300035) IN THE SOUTH MEMPHIS AREA TO PATRICIA TIPTON IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00).**

Director of Housing and Community Development recommends approval

MOTION: Ford  
SECOND: Ware  
AYES: Boyd, Collins, Conrad, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Lowery  
Brown, Flinn, Halbert and Hedgepeth did not cast a vote

**APPROVED**

33. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 1105 BEECHWOOD STREET (02601300007) IN THE SOUTH MEMPHIS AREA TO PATRICIA TIPTON IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00).**

Director of Housing and Community Development recommends approval

MOTION: Ford  
SECOND: Boyd  
AYES: Boyd, Collins, Conrad, Ford, Fullilove, Halbert, Morrison, Ware and  
Chairman Lowery  
Brown, Flinn, Hedgepeth and Strickland did not cast a vote

**APPROVED**

34. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 1095 BEECHWOOD STREET (02601300005) IN THE SOUTH MEMPHIS AREA TO PATRICIA TIPTON IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00).**

Director of Housing and Community Development recommends approval

MOTION: Ford  
SECOND: Fullilove  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland,  
Ware and Chairman Lowery  
Brown and Hedgepeth did not cast a vote

**APPROVED**

35. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 942 WILLOUGHBY STREET (01304300034) IN THE SOUTH MEMPHIS AREA TO LUTHER WILLIAMS IN THE AMOUNT OF FOUR HUNDRED DOLLARS (\$400.00).**

Director of Housing and Community Development recommends approval

MOTION: Ford  
SECOND: Fullilove  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland,  
Ware and Chairman Lowery  
Brown and Hedgepeth did not cast a vote

**APPROVED**

36. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 1126 COLLEGE STREET (02601800029) IN THE SOUTH MEMPHIS AREA TO SOULSVILLE IN THE AMOUNT OF ONE DOLLAR (\$1.00).**

Director of Housing and Community Development recommends approval

MOTION: Ford  
SECOND: Ware  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland,  
Ware and Chairman Lowery  
Brown and Hedgepeth did not cast a vote

**APPROVED**

37. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 2619 MIDLAND STREET (0290750008) IN THE SOUTH MEMPHIS AREA TO JACOBS LADDER C. D. C. IN THE AMOUNT OF ONE DOLLAR (\$1.00).**

Director of Housing and Community Development recommends approval

MOTION: Ford  
SECOND: Fullilove  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery  
Brown did not cast a vote

**APPROVED**

38. **RESOLUTION AMENDING FY 2009 FEDERAL OPERATING BUDGET BY APPROPRIATING \$30,762.00 IN REVENUES DERIVED FROM THE HEALTH EDUCATION HOUSING FACILITY BOARD.**

MOTION: Ford  
SECOND: Fullilove  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery  
Brown and Hedgepeth did not cast a vote

**APPROVED**

40. **RESOLUTION REQUESTING THE CITY OF MEMPHIS ADMINISTRATION TO EXPEDITE THE PROCESSING OF POLICE APPLICANTS IN A TIMELY MANNER.**

MOTION: Flinn  
SECOND: Conrad  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery  
Brown and Hedgepeth did not cast a vote

**APPROVED**

39. **RESOLUTION REQUESTING THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT TO REINTRODUCE A DOWN PAYMENT ASSISTANCE PROGRAM FOR MEMPHIS POLICE OFFICERS.**

MOTION: Ford  
SECOND: Fullilove  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Lowery  
NAYS: Halbert  
Hedgepeth did not cast a vote

**APPROVED**, as amended

41. **RESOLUTION REQUESTING THE CITY OF MEMPHIS ADMINISTRATION TO REPORT AND PLAN TO IMPLEMENT COLLEGE LOAN FORGIVENESS AND RELOCATION EXPENSES FOR NEWLY HIRED POLICE OFFICERS.**

MOTION: Flinn  
SECOND: Ford  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery  
Hedgepeth did not cast a vote

**APPROVED**

42. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF EIGHTY ONE THOUSAND SIX HUNDRED DOLLARS (\$81,600.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE DOWNTOWN MEMPHIS GATEWAYS ENHANCEMENT PROJECT. RESOLUTION ALSO AMENDS FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Strickland  
SECOND: Fullilove  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery  
Brown and Hedgepeth did not cast a vote

**APPROVED**

43. **RESOLUTION AMENDING THE FY 2009 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$1,455,748.00 FUNDED BY GO BONDS – GENERAL (STORM WATER) FROM DRAINAGE – ST, PROJECT NUMBER ST03006 TO GAYOSO TRASH REMOVAL PROJECT, PROJECT NUMBER ST03113 AND FOR A CONSTRUCTION CONTRACT WITH CHOCTAW TRANSPORTATION COMPANY, INC.**

MOTION: Boyd  
SECOND: Fullilove  
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland,  
Ware and Chairman Lowery  
Brown and Hedgepeth did not cast a vote

**APPROVED**

44. **RESOLUTION ESTABLISHING A CIVILIAN LAW ENFORCEMENT REVIEW AD HOC COMMITTEE.**

MOTION: Ware – Hold until we get information on the makeup and goal of the committee  
(4 weeks), March 17, 2009  
SECOND: Morrison

**Chairman Lowery stated that without objection, we will hold this item for 4 weeks, he then asked is here any objection. Councilman Conrad stated that he had objection. A vote was then taken to hold his item since there was objection**

AYES: Boyd, Ford, Halbert, Morrison, Ware and Chairman Lowery  
NAYS: Collins, Conrad, Fullilove and Strickland  
Flinn abstained  
Brown, Ford and Hedgepeth did not cast a vote

**APPROVED**, item held to March 17, 2009, Set up as Special Item #5

45. **RESOLUTION THAT THE MEMPHIS CITY COUNCIL JOIN OTHER CITY COUNCILS, IN OTHER CITIES, IN RECOMMENDING TO PRESIDENT OBAMA THAT A BROAD AND DIVERSE ADVISORY GROUP BE CREATED TO HELP THE PROPOSED OFFICE OF URBAN POLICY REACH OUT TO CITIES ACROSS THE COUNTRY TO ASSIST THEM IN WORKING TO ADOPT BEST PRACTICES AVAILABLE TO IMPROVE THE QUALITY OF LIFE FOR URBAN RESIDENTS AND FOR THOSE WHO WORK AND DO BUSINESS IN OUR CITIES.**

MOTION: Lowery  
SECOND: Collins  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison,  
Strickland, Ware and Chairman Lowery  
Hedgepeth did not cast a vote

**APPROVED**

**MINUTES**

Approval of the Minutes of the regular meeting of February 17, 2009 for Items 5, 23, 24 and 30 only, with the following motion:



MOTION: Ware  
SECOND: Collins  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison,  
Strickland, Ware and Chairman Lowery  
Hedgepeth did not cast a vote

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

The Chairman recognized the following person who spoke from the audience:

Walter Broady III, 4256 Ledbetter, Mphs, TN 38109

**ADJOURNED MEETING AT 7:25 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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C H A I R M A N

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records